

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2338 - SB 2336

February 11, 2022

SUMMARY OF BILL: Creates an additional \$200 fine for the offenses of speeding at a rate of 20 miles per hour or more over the posted speed limit, driving under the influence (DUI), and reckless driving.

Requires the funds generated from the additional fines to be disbursed for the purpose of compensating members of the emergency medical services transportation community for readiness and trauma care as follows:

- 5 percent to the Tennessee Emergency Medical Services Board (Board);
- 22.5 percent to the Trauma System Fund established pursuant to Tenn. Code Ann. § 68-59-105, and;
- 72.5 percent equally to each licensed ground and air medical ambulance service on a quarterly basis.

FISCAL IMPACT:

Increase State Revenue –

**Exceeds \$62,400/FY22-23 and Subsequent Years/
Tennessee Emergency Medical Services Board**

**Exceeds \$280,700/FY22-23 and Subsequent Years/
Trauma System Fund**

Increase Local Revenue –

**Exceeds \$904,400/FY22-23 and Subsequent Years/
Various Ambulance Services**

Other Fiscal Impact – The estimated recurring increase in revenue to the Emergency Medical Services Board exceeding \$62,400 is assumed to be available to offset any costs of collection disbursements. The Board had a surplus of \$97,412 in FY19-20 and a surplus of \$121,650 in FY20-21.

Assumptions:

- Based on the Fiscal Review Committee's 2008 study and the Administrative Office of the Courts' 2012 study on collection of court costs, fees, and fines, collection of criminal fines and fees is minimal due to defendants often not being able to pay them. There is

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some exception to this for fines incurred for sexual offenses and DUIs. However, even fines for DUIs are only estimated to be repaid at a rate of at least 25 percent.

- Any revenue collected from fines for excessive speeding and reckless driving are assumed to be not significant.
- Based on conviction data provided by the Administrative Office of the Courts, between the years 2018-2020, the average number of convictions for DUI in state courts was 2,495.
- It is assumed that only 10 percent of convictions occur at the state level.
- Therefore, the total statewide average number of convictions for DUIs is estimated to be 24,950 (2,495 x 10).
- The total recurring increase in revenue generated from the additional \$200 fine is estimated to be \$1,247,500 [(24,950 x \$200) x 25%] in FY22-23 and subsequent years.
- Pursuant to the proposed legislation, this revenue will be collected by the clerks of the various courts of the counties and forwarded to the Board to be disbursed as follows: a) 5 percent to the Board; (b) 22.5 percent to the Trauma System Fund established pursuant to Tenn. Code Ann. § 68-59-105, and; (c) 72.5 percent equally to each licensed ground and air medical ambulance service on a quarterly basis.
- A recurring increase in state revenue to the Board estimated to exceed \$62,375 (\$1,247,500 x 5%) in FY22-23 and subsequent years.
- A recurring increase in state revenue to the Trauma System Fund estimated to exceed \$280,688 (\$1,247,500 x 22.5%) in FY22-23 and subsequent years.
- A recurring increase in local revenue to the various licensed ground and air medical ambulance services across the state estimated to exceed \$904,438 (\$1,247,500 x 72.5%) in FY22-23 and subsequent years.
- The estimated more than \$62,375 to the Board in additional recurring revenue is assumed to be intended and utilized for the collection and disbursing of the funds, and is assumed to be sufficient for that purpose; therefore, any fiscal impact to the Board for funds administration is estimated to be not significant.
- The Emergency Medical Services Board had a surplus of \$97,412 in FY19-20 and a surplus of \$121,650 in FY20-21.
- Based on information provided by the Court Clerks Association, the local clerks can collect and forward the additional revenue in the ordinary course of business; any fiscal impact to local courts is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director